

# Senate File 445 - Introduced

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 314)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to teacher compensation by requiring school  
2 corporations to incorporate teacher compensation into  
3 individual salary schedules and by eliminating the educational  
4 excellence program.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 2517SV 83  
7 ak/sc/24

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1 1 Section 1. Section 256.21, unnumbered paragraph 4, Code  
1 2 2009, is amended to read as follows:

1 3 A sabbatical grant to a teacher shall be equal to the ~~costs~~  
~~1 4 to the school district of the teacher's regular compensation~~  
~~1 5 as defined in section 294A.2 annual salary specified in a~~  
1 6 teacher's contract pursuant to the salary schedule adopted by  
1 7 the board of directors or negotiated under chapter 20 plus the  
1 8 cost to the district of the fringe benefits of the teacher.

1 9 The grant shall be paid to the school district, and the  
1 10 district shall continue to pay the teacher's regular  
1 11 compensation as well as the cost to the district of the  
1 12 substitute teacher. Teachers and boards of school districts  
1 13 are encouraged to seek funding from other sources to pay the  
1 14 costs of sabbaticals for teachers. Grant moneys are  
1 15 miscellaneous income for purposes of chapter 257.

1 16 Sec. 2. Section 257.9, subsection 6, Code 2009, is amended  
1 17 to read as follows:

1 18 6. TEACHER SALARY SUPPLEMENT STATE COST PER PUPIL. For  
1 19 the budget year beginning July 1, 2009, for the teacher salary  
1 20 supplement state cost per pupil, the department of management  
1 21 shall add together the teacher compensation allocation made to  
1 22 each district for the fiscal year beginning July 1, 2008,  
1 23 pursuant to section 284.13, subsection 1, paragraph "h", and  
1 24 the phase II allocation made to each district for the fiscal  
1 25 year beginning July 1, 2008, pursuant to section 294A.9, Code  
1 26 2009, and divide that sum by the statewide total budget

1 27 enrollment for the fiscal year beginning July 1, 2009. The  
1 28 teacher salary supplement state cost per pupil for the budget  
1 29 year beginning July 1, 2010, and succeeding budget years,  
1 30 shall be the amount calculated by the department of management  
1 31 under this subsection for the base year plus an allowable  
1 32 growth amount that is equal to the teacher salary supplement  
1 33 categorical state percent of growth, pursuant to section  
1 34 257.8, subsection 2, for the budget year, multiplied by the  
1 35 amount calculated by the department of management under this  
2 1 subsection for the base year.

2 2 Sec. 3. Section 257.10, subsection 9, paragraph a, Code  
2 3 2009, is amended to read as follows:

2 4 a. For the budget year beginning July 1, 2009, the  
2 5 department of management shall add together the teacher  
2 6 compensation allocation made to each district for the fiscal  
2 7 year beginning July 1, 2008, pursuant to section 284.13,  
2 8 subsection 1, paragraph "h", and the phase II allocation made  
2 9 to each district for the fiscal year beginning July 1, 2008,  
2 10 pursuant to section 294A.9, Code 2009, and divide that sum by  
2 11 the district's budget enrollment in the fiscal year beginning  
2 12 July 1, 2009, to determine the teacher salary supplement  
2 13 district cost per pupil. For the budget year beginning July  
2 14 1, 2010, and succeeding budget years, the teacher salary

2 15 supplement district cost per pupil for each school district  
2 16 for a budget year is the teacher salary supplement program  
2 17 district cost per pupil for the base year plus the teacher  
2 18 salary supplement state allowable growth amount for the budget  
2 19 year.

2 20 Sec. 4. Section 257.10, subsection 9, paragraph d, Code  
2 21 2009, is amended to read as follows:

2 22 d. ~~The~~ For the budget year beginning July 1, 2009, the use  
2 23 of the funds calculated under this subsection shall comply  
2 24 with the requirements of ~~chapters~~ ~~chapter~~ 284 ~~and 294A~~ and  
2 25 shall be distributed to teachers pursuant to section ~~284.7~~  
2 26 284.3A. For the budget year beginning July 1, 2010, and  
2 27 succeeding budget years, the use of the funds calculated under  
2 28 this subsection shall comply with the requirements of chapter  
2 29 284 and shall be distributed to teachers pursuant to section  
2 30 284.3A.

2 31 Sec. 5. Section 257.37A, subsection 1, paragraph a, Code  
2 32 2009, is amended to read as follows:

2 33 a. For the budget year beginning July 1, 2009, the  
2 34 department of management shall add together the teacher  
2 35 compensation allocation made to each area education agency for  
3 1 the fiscal year beginning July 1, 2008, pursuant to section  
3 2 284.13, subsection 1, paragraph "i", and the phase II  
3 3 allocation made to each area education agency for the fiscal  
3 4 year beginning July 1, 2008, pursuant to section 294A.9, Code  
3 5 2009, and divide that sum by the special education support  
3 6 services weighted enrollment in the fiscal year beginning July  
3 7 1, 2009, to determine the area education agency teacher salary  
3 8 supplement cost per pupil. For the budget year beginning July  
3 9 1, 2010, and succeeding budget years, the area education  
3 10 agency teacher salary supplement district cost per pupil for  
3 11 each area education agency for a budget year is the area  
3 12 education agency teacher salary supplement district cost per  
3 13 pupil for the base year plus the area education agency teacher  
3 14 salary supplement state allowable growth amount for the budget  
3 15 year.

3 16 Sec. 6. Section 257.37A, subsection 1, paragraph d, Code  
3 17 2009, is amended to read as follows:

3 18 d. ~~The~~ For the budget year beginning July 1, 2009, the use  
3 19 of the funds calculated under this subsection shall comply  
3 20 with requirements of ~~chapters~~ ~~chapter~~ 284 ~~and 294A~~ and shall  
3 21 be distributed to teachers pursuant to section ~~284.7~~ 284.3A.  
3 22 For the budget year beginning July 1, 2010, and succeeding  
3 23 budget years, the use of the funds calculated under this  
3 24 subsection shall comply with the requirements of chapter 284  
3 25 and shall be distributed to teachers pursuant to section  
3 26 284.3A.

3 27 Sec. 7. Section 257.51, Code 2009, is amended to read as  
3 28 follows:

3 29 257.51 CATEGORICAL STATE APPROPRIATIONS.

3 30 For the budget year beginning July 1, 2009, and succeeding  
3 31 budget years, if the general assembly makes an appropriation  
3 32 pursuant to section 284.13, subsection 1, paragraph "h" or  
3 33 "i", ~~or for the phase II allocation pursuant to section~~  
3 34 ~~294A.9~~, or for professional development pursuant to section  
4 1 284.13, subsection 1, paragraph "d", or for early intervention  
4 2 pursuant to section 256D.4, the department of management shall  
4 3 recalculate the formulas in section 257.9, subsections 6  
4 4 through 10; section 257.10, subsections 9, 10, and 11; and  
4 5 section 257.37A.

4 6 Sec. 8. Section 284.7, subsection 5, Code 2009, is amended  
4 7 by striking the subsection.

4 8 Sec. 9. NEW SECTION. 284.3A TEACHER COMPENSATION ==  
4 9 SINGLE SALARY SYSTEM.

4 10 1. a. For the school year beginning July 1, 2009, if the  
4 11 licensed employees of a school district or area education  
4 12 agency receiving funds pursuant to sections 257.10 and 257.37A  
4 13 are organized under chapter 20 for collective bargaining  
4 14 purposes, the school board and the certified bargaining  
4 15 representative for the licensed employees shall negotiate the  
4 16 distribution of the funds among the teachers employed by the  
4 17 school district or area education agency according to chapter  
4 18 20.

4 19 b. If the licensed employees of a school district or area  
4 20 education agency are not organized for collective bargaining  
4 21 purposes, the board of directors shall determine the method of  
4 22 distribution of such funds.

4 23 c. For the school years beginning July 1, 2008, and July  
4 24 1, 2009, a school district or area education agency receiving  
4 25 funds pursuant to sections 257.10 and 257.37A, shall determine  
4 26 the amount to be paid to teachers in accordance with this

4 26 subsection and the amount determined to be paid to an  
4 27 individual teacher shall be divided evenly by the appropriate  
4 28 number of pay periods and paid in each pay period of the  
4 29 fiscal year beginning with the October payroll.

4 30 2. a. For the school budget year beginning July 1, 2010,  
4 31 and each succeeding school year, school districts and area  
4 32 education agencies shall combine payments made to teachers  
4 33 under sections 257.10 and 257.37A with regular wages and  
4 34 create one salary system. If a school district or area  
4 35 education agency uses a salary schedule, one salary schedule  
5 1 shall be used for regular wages and for distribution of  
5 2 payments under sections 257.10 and 257.37A, incorporating the  
5 3 salary minimums required in section 284.7.

5 4 b. If the licensed employees of a school district or area  
5 5 education agency are organized under chapter 20 for collective  
5 6 bargaining purposes, the creation of the new salary system  
5 7 shall be subject to the scope of negotiations specified in  
5 8 section 20.9. A reduction in the teacher salary supplement  
5 9 per pupil amount shall also be subject to the scope of  
5 10 negotiations specified in section 20.9.

5 11 c. If the licensed employees of a school district or area  
5 12 education agency are not organized for collective bargaining  
5 13 purposes, the board of directors shall create the new salary  
5 14 system. The board of directors shall determine adjustments in  
5 15 salaries resulting from a reduction in the teacher salary  
5 16 supplement per pupil amount.

5 17 3. A school district or area education agency shall not be  
5 18 required to maintain a separate account within its budget  
5 19 based on source of funds for payments received and  
5 20 expenditures made pursuant to this section. The school  
5 21 district or area education agency shall annually certify to  
5 22 the department of education that funding received pursuant to  
5 23 sections 257.10 and 257.37A was expended on salaries for  
5 24 qualified teachers.

5 25 Sec. 10. Section 294A.9, subsection 9, Code 2009, is  
5 26 amended by striking the subsection and inserting in lieu  
5 27 thereof the following:

5 28 9. This section is repealed June 30, 2009.

5 29 Sec. 11.

5 30 1. Sections 294A.1 through 294A.6, 294A.8, 294A.21, and  
5 31 294A.25, Code 2009, are repealed.

5 32 2. Any moneys remaining in the educational excellence fund  
5 33 established in section 294A.3, Code 2009, shall be distributed  
5 34 as directed pursuant to that section.

5 35 EXPLANATION

6 1 This bill directs that the sources of teacher compensation  
6 2 be distributed under new Code section 284.3A. Beginning with  
6 3 the school budget year beginning July 1, 2009, the funds  
6 4 intended to compensate teachers in Code sections 257.10 and  
6 5 257.37A, the teacher salary supplement, shall be distributed  
6 6 as directed in new Code section 284.3A.

6 7 New Code section 284.3A provides that school boards and  
6 8 certified bargaining representatives for organized employees  
6 9 of a school district and area education agency shall negotiate  
6 10 as part of collective bargaining the funds available,  
6 11 including a reduction in the teacher salary supplement per  
6 12 pupil amount, under this Code section. School boards are  
6 13 authorized to create and distribute the salary system funds  
6 14 for nonorganized workers, including a reduction in the teacher  
6 15 salary supplement per pupil amount.

6 16 Beginning with the school budget year beginning July 1,  
6 17 2010, all payments authorized under the Code to compensate  
6 18 teachers shall be combined with wages to create one salary  
6 19 system. Each year each school district and area education  
6 20 agency shall certify to the department of education that the  
6 21 funding received for teacher compensation was spent on  
6 22 salaries for qualified teachers. If employees of a school  
6 23 district or area education agency are organized under Code  
6 24 chapter 20, all payments under the new salary system are  
6 25 determined according to Code chapter 20 and available for  
6 26 negotiation.

6 27 The bill also repeals Code chapter sections and strikes  
6 28 Code section references relating to that portion of Code  
6 29 chapter 294A that relates the educational excellence program.  
6 30 The Code sections amended include Code sections 256.21,  
6 31 257.9(6), 257.10(9), 257.37A(1), and 257.51.

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